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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald B. Pier et al.
Serial No.: 10/712,391
Confirmation No.: 8225
Filed: November 12, 2003
For: METHODS AND PRODUCTS FOR TREATING
STAPHYLOCOCCAL INFECTIONS

Examiner: C. L. Fronda
Art Unit: 1652

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 11th day of February, 2008.


Nicole Millette Hawes

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

Application Number	Filing Date	Inventor(s)	Docket No.
11/645,220*	12-22-2006	Pier et al.	B0801.70218US01

*copy is available on PAIR

The Applicant would like to bring to the Examiner's attention the enclosed search report(s) or other communication(s) from International or Foreign National Applications that may contain subject matter related to this application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type(s) of Correspondence</u>	<u>Docket No.</u>
PCT/US2005/013694	01-02-06	International Search Report	B0801.70300WO00
PCT/US2005/013694	10-25-06	International Preliminary Report on Patentability	B0801.70300WO00
EP 03786713.2	12-06-06	Search Report	B0801.70255EP00
EP 03783450.4	05-16-06	Supplementary Search Report	B0801.70256EP00

The Applicant would like to bring to the Examiner's attention the following other information from applications that may contain subject matter related to this application:

Office Communication mailed 01/03/2003 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 10/23/2003 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 07/20/2004 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 05/09/2005 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 12/06/2005 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 06/26/2006 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 12/18/2006 for Application No. 10/713,790 (B0801.70255US01)
Office Communication mailed 05/15/2007 for Application No. 10/713,790 (B0801.70255US01)
Office Communication mailed 12/10/2007 for Application No. 11/111,688 (B0801.70300US01)

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 
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